

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAVIER OLIVER SANCHEZ,

Plaintiff,

v.

SEBASTIAN GARCIA,

Defendant.

No. 2:23-cv-01192-DC-SCR

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND GRANTING  
PLAINTIFF'S MOTION FOR DEFAULT  
JUDGMENT, IN PART

(Doc. Nos. 14, 24)

On June 21, 2023, Plaintiff filed this wage-and-hour action against Defendant Sebastian Garcia. (Doc. No. 1.) The Clerk of the Court entered default as to Defendant because Defendant was served with the summons and complaint and did not file a timely answer, responsive pleading, or otherwise appear in this action. (Doc. Nos. 10–12.) On December 19, 2023, Plaintiff filed the pending motion for default judgment. (Doc. No. 14.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636 and Local Rule 302.

On January 29, 2025, the assigned magistrate judge issued findings and recommendations recommending that Plaintiff's motion for default judgement be granted but "only as to a portion of the total damages that Plaintiff requests." (Doc. No. 24 at 1.) Specifically, Plaintiff requests a total of \$72,144.72 in damages and \$3,776 in attorney's fees and costs, but the magistrate judge found that "Plaintiff has only proven entitlement to \$46,824 in damages and \$3,776 in attorney's fees and costs." (*Id.* at 4–11.) Thus, the magistrate judge recommends that default judgment be

1 granted “in the amounts of \$46,824 in damages and \$3,776 in attorney’s fees and costs.” (*Id.* at  
2 13.) The findings and recommendations provided that any objections thereto were to be filed  
3 within fourteen (14) days. (*Id.*) To date, no objections have been filed and the time for doing so  
4 has now passed.

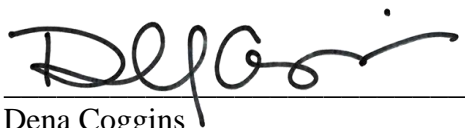
5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court conducted a *de*  
6 *novo* review of the case. Having carefully reviewed the file, the court concludes the findings and  
7 recommendations are supported by the record and proper analysis.

8 Accordingly:

- 9 1. The findings and recommendations issued on January 29, 2025 (Doc. No. 24) are  
10 ADOPTED in full;
- 11 2. Plaintiff’s motion for default judgment against Defendant (Doc. No. 14) is  
12 GRANTED, in part, as set forth herein;
- 13 3. Default judgment is hereby entered in favor of Plaintiff and against Defendant  
14 Sebastian Garcia in the amounts of \$46,824 in damages and \$3,776 in attorney’s  
15 fees and costs; and
- 16 4. The Clerk of the Court is directed to close this case.

17  
18 IT IS SO ORDERED.

19  
20 Dated: April 20, 2025

21   
22 Dena Coggins  
23 United States District Judge  
24  
25  
26  
27  
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